

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

OZBURN-HESSEY LOGISTICS, LLC

v.

721 LOGISTICS, LLC, *et al.*

CIVIL ACTION

FILED

APR - 7 2014

No. 12-0864

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

ORDER

AND NOW, on this 4th day of April, 2014, upon consideration of the Motion for Summary Judgment by Defendants J&K Fresh, LLC ("J&K"), Lynette Keffer and Raymond Keffer (Doc. 82), Plaintiff's response (Doc. 84), and Defendants' reply (Doc. 86); as well as the Motion for Summary Judgment by Defendants 721 Logistics, LLC ("721"), John Antonucci, Lawrence Antonucci, John Ercolani, William Fagan, Helena Martins, Michael McLaughlin, Maura Miceli, Evan Moss, Antoinette Pannel, and Barbara Zimmerman (Doc. 83), Plaintiff's response (Doc. 85), and Defendants' reply (Doc. 87), it is hereby **ORDERED** that the Motions for Summary Judgment (Docs. 82 & 83) are **GRANTED in part** and **DENIED in part**, as follows:

1. On Count II (misappropriation of trade secrets), the motions are **GRANTED** with respect to J&K, Lynette Keffer, Raymond Keffer, John Antonucci, William Fagan, Helena Martins, Michael McLaughlin, Maura Miceli, Evan Moss, Antoinette Pannel, and Barbara Zimmerman. The motions are **DENIED** with respect to 721, Larry Antonucci and John Ercolani.

2. On Count III (unfair competition), the motions are **GRANTED** with respect to J&K, Lynette Keffer, Raymond Keffer, John Ercolani, John Antonucci, William Fagan, Helena

Martins, Michael McLaughlin, Maura Miceli, Evan Moss, Antoinette Pannel, and Barbara Zimmerman. The motions are **DENIED** with respect to 721 and Larry Antonucci.

3. On Count IV (breach of contract), the motion is **GRANTED** with respect to Evan Moss, and **DENIED** with respect to John Ercolani.

4. On Count V (tortious interference), the motions are **GRANTED**.

5. On Count VI (civil conspiracy), the motions are **DENIED**.

6. On Count VII (breach of the duty of loyalty), the motion is **GRANTED**.

BY THE COURT:



L. FELIPE RESTREPO
UNITED STATES DISTRICT JUDGE